

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
INTEGRATED HEALTH SERVICES, INC., <i>et al.</i> ,)	Case No. 00-389 (MFW)
Debtors.)	(Jointly Administered)
)	
C. TAYLOR PICKETT,)	
)	
Plaintiff,)	
- against-)	Civil Action No. 04-354 (GMS)
)	
INTEGRATED HEALTH SERVICES, INC.,)	
)	
Defendant.)	

**APPELLANT'S DESIGNATION OF THE RECORD TO BE
CERTIFIED AND SENT TO THE THIRD CIRCUIT CLERK AND
STATEMENT OF THE ISSUES TO BE PRESENTED ON APPEAL**

Appellant C Taylor Pickett ("Pickett"), by and through his counsel, pursuant to Federal Rule of Appellate Procedure 6(b)(2)(B)(i), hereby designates the record to be certified and sent to the Third Circuit Clerk, and provides his statement of the issues, in connection with his appeal, under 28 U. S. C. § 158(d)(1), from the final order of the United States District Court for the District of Delaware, entered in this case on March 20, 2006 (Docket Item 15) (the "Order") affirming the Order of the United States Bankruptcy Court for the District of Delaware entered on April 19, 2004, as follows:

I. DESIGNATION OF RECORD

<u>Date</u>	<u>Docket No.</u>	<u>Description of Record Item</u>
06/04/2004	2	Designation, Statement of Issues and Designated Record by C. Taylor Pickett of record on appeal
06/08/2004	4	Appellant's Opening Brief

<u>Date</u>	<u>Docket No.</u>	<u>Description of Record Item</u>
06/08/2004	5	Appendix to Appellant's Opening Brief
07/08/2004	8	Answering Brief of ABE Briarwood Corp., on behalf of itself and IHS Long Term Care, Inc., successor in interest to Appellee Integrated Health Services, Inc.
07/08/2004	9	Appendix to Answering Brief Filed by ABE Briarwood Corp.
07/20/2004	13	Request by C. Taylor Pickett for Oral Argument
07/20/2004	14	Appellant's Reply Brief
03/20/2006	15	Order re Notice of Appeal filed by C. Taylor Pickett affirming the Bankruptcy Court's order of April 19, 2004.
		Certified Copy of District Court Docket pursuant to Federal Rule of Appellate procedure 6(b)(B)(iii) (to be prepared by the District Court Clerk)

II. STATEMENT OF ISSUES ON APPEAL

1. Whether the District Court erred in affirming the Bankruptcy Court's grant of summary judgment in favor of Defendant/Appellee by ruling that the memo from Bob Elkins to Taylor Pickett ("Pickett"), dated March 24, 1999 (the "Elkins Memo"), did not constitute an assignment of the Caves Valley Golf Club Membership (the "Membership") from Integrated Health Services, Inc. ("IHS") to Pickett.

2. Whether the District Court erred in affirming the Bankruptcy Court's grant of summary judgment in favor of Defendant/Appellee by ruling that Pickett's claims were barred because he waived such claims pursuant to a letter agreement, dated December 31, 2001, by and among Pickett and IHS.

3. Whether the District Court erred in affirming the Bankruptcy Court's denial of Pickett's motion for summary judgment by ruling that IHS was not barred by the doctrines of judicial and equitable estoppel from denying Pickett's rights, title and/or interests in and to the


Membership, including whether the Bankruptcy Court erred in ruling that the Membership was properly listed as an asset in IHS's bankruptcy schedules.

4. Whether the District Court erred in affirming the Bankruptcy Court's denial of Pickett's motion for summary judgment by ruling that Pickett's rights, title and/or interests in and to the Membership were not superior to the rights of IHS's successor-in-interest because Pickett waived his claims in and to the Membership.

5. Whether the District Court erred in affirming the Bankruptcy Court's ruling that the Membership was not an executory contract that was required to be listed on the Schedule of Assumed Leases and Executory Contracts, Exhibit D to the Plan Supplement for Amended Joint Plan of Reorganization of IHS and its Subsidiaries under Chapter 11 of the Bankruptcy Code, and, therefore, was properly sold to IHS's successor-in-interest pursuant to the aforementioned Amended Joint Plan of Reorganization, and the Stock Purchase Agreement incorporated therein.

Dated: April 18, 2006

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